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The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007
VIA ECF

June 26, 2023

Re: *United States v. William DeLa Cruz*
23-CR-114 (LJL)

Dear Judge Liman:

Pursuant to Your Honor’s “invitation”, I write to supplement my previous sentencing submission dated May 31, 2023. After conferring with USPO John Depierri on the inner workings of community service and home detention, I now respectfully ask that the Court impose a non-guideline sentence of five years probation along with 100 hours of community service and four months of home detention as detailed below.

While USPO Depierri adheres to his previous sentencing recommendation, I respectfully ask the Court to permit my client, Mr. De La Cruz, to perform 100 hours of community service with the Salvation Army located at 4109 Park Avenue, Bronx, N.Y., 10457 which is located approximately 15-20 minutes from my client’s home. I indicated to USPO Depierri that if community service was ordered by the Court, that my client would submit written proof of the hours completed on official Salvation Army letterhead. USPO Dipierri thought that to be prudent.

We also respectfully ask the Court to give my client, Mr. De La Cruz, the opportunity to continue working his full-time job as a teacher’s aide at Metropolitan Soundview High School located at 1300 Boynton Ave., Bronx, N.Y. 10472 from approximately 8am-4pm and then restricting him to remain at his home (home detention) located at 2130 Crotona Ave., Bronx, N.Y. 10457 from 7pm-7am with monitoring equipment at the probation officer’s discretion. The only exceptions being that my client would be permitted to leave his home on weekends to perform his community service at the Salvation Army and also that he be permitted to pick up his mother on Friday, Saturday & Sunday at 8pm from St. Thomas Aquinas Church located at 1900 Crotona Parkway, Bronx, N.Y. 10460 which is a 15-minute walk to their home.

Accordingly, we respectfully suggest that a non-guideline sentence of five years probation together with 100 hours of community service and four months of home detention is more than sufficient, but not greater than necessary, to promote the objectives of sentencing and is both fair and just and complies with the statutory factors enumerated in 18 U.S.C. § 3553(a) and the Supreme Court's decision in *Gall v. United States*, -U.S.-, 128 S. Ct. 586, (2007).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Lawrence M. Fisher', with a stylized flourish at the end.

LAWRENCE M. FISHER